

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**RUSSELL K. HILL**

**PETITIONER**

**V.**

**NO. 4:22-CV-40-DMB-DAS**

**WARDEN C. LODEN**

**RESPONDENT**

**ORDER**

On or about March 21, 2022, Russell K. Hill filed a pro se petition for a writ of habeas corpus in the United States District Court for the Northern District of Mississippi. Doc. #1. Because Hill did not use “the court’s standard form for such petitions,” United States Magistrate Judge David A. Sanders ordered him to “complete and return the [standard form provided] within 21 days” and advised Hill that “[f]ailure to do so may lead to the dismissal of this case without prejudice.” Doc. #4. In response, Hill filed a “Motion to Clarify,” arguing that the standard form is inadequate for his situation. Doc. #5 at 2. In an April 13, 2022, order, Judge Sanders extended by twenty-one days Hill’s deadline to return the standard form and advised Hill that to the extent Hill believed the form was inadequate, “he may complete the applicable parts of the form – and supplement the form with additional pages to expound upon his claims.” Doc. #6 at PageID 36. Hill filed a response to the second order but did not submit the standard form. Doc. #7

On June 8, 2022, Judge Sanders issued a Report and Recommendation (“R&R”) recommending that Hill’s petition be dismissed without prejudice for failure to prosecute and failure to comply with an order of the court. Doc. #8 at 2–3. No objections to the R&R were filed and the time within which to do so has passed.

“With respect to those portions of the report and recommendation to which no objections

were raised, the Court need only satisfy itself that there is no plain error on the face of the record.” *Gauthier v. Union Pac. R.R. Co.*, 644 F. Supp. 2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)). The Court has reviewed the R&R and finds no plain error on the face of the record. Accordingly, the R&R [8] is **ADOPTED** as the order of the Court. This case is **DISMISSED without prejudice**.

**SO ORDERED**, this 29th day of June, 2022.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**